

Draft

PERMIT

Permit No: 200602372-MG

Municipality: Borough of Stonington

Work Area: Stonington Harbor off property located at 194 Water Street

Permittee: Dodson Boat Yard, LLC
c/o Robert Synder
194 Water Street
Stonington, CT 06378

Pursuant to sections 22a-359 through 22a-363f of the Connecticut General Statutes ("CGS") and in accordance with CGS section 22a-98, section 401 of the Federal Clean Water Act, as amended, and the Connecticut Water Quality Standards dated December 2002, a permit is hereby granted by the Commissioner of Environmental Protection ("Commissioner") to conduct dredging, install service and dinghy docks and retain a stormwater drain to support recreational boating use as is more specifically described below in the SCOPE OF AUTHORIZATION, in Stonington Harbor off property identified as the "work area" above.

*******NOTICE TO PERMITTEES AND CONTRACTORS*******

UPON INITIATION OF ANY WORK AUTHORIZED HEREIN, THE PERMITTEE ACCEPTS AND AGREES TO COMPLY WITH ALL TERMS AND CONDITIONS OF THIS PERMIT. FAILURE TO CONFORM TO THE TERMS AND CONDITIONS OF THIS PERMIT MAY SUBJECT THE PERMITTEE AND ANY CONTRACTOR TO ENFORCEMENT ACTIONS, INCLUDING INJUNCTIONS AS PROVIDED BY LAW AND PENALTIES UP TO \$1,000.00 PER DAY PURSUANT TO THE ADMINISTRATIVE CIVIL PENALTY POLICY DESCRIBED IN SECTIONS 22a-6b-1 THROUGH 22a-6b-15 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES.

SCOPE OF AUTHORIZATION

The Permittee is hereby authorized to conduct the following work as described in application #200901307-MG, including one location map and seven (7) sheets of plans dated July 25, 2006, Sheets 1 through 3A and 6 of 6 revised November 24, 2009, Sheet 4 of 6 revised October 2, 2009 and Sheet 5 of 6 revised May 21, 2009, submitted by the Permittee to the Commissioner and attached hereto as follows:

1. retain an existing 6" diameter storm water drain equipped with a tide flex valve that extends through an existing bulkhead;
2. remove and relocate an existing straddle hoist lift pier and walkway with associated piles;

3. install 12' wide by 200 linear feet of floating service and dinghy docks in the location and configuration as shown on the plans attached hereto; and
4. conduct new dredging by mechanical means approximately 20,300 cubic yards of sediment (including 4,100 cubic yards of sediment associated with a one foot of allowable over-dredge) from an approximately 82,000 square foot area to a depth of -8.0' MLW and dispose of the sediment with capping at the New London Disposal Area.

SPECIAL TERMS AND CONDITIONS

1. The approximately 20,300 cubic yards of sediment authorized to be dredged herein shall be disposed of at the New London Disposal Area and capped with at least 36,000 cubic yards of sediments suitable for unconfined open water disposal, as follows:
 - a. No later than two (2) weeks prior to the intended commencement of dredging, the Permittee shall submit to the Commissioner for her review and written approval, a capping plan. The plan shall, at a minimum, include the following information:
 - i. demonstration that sufficient dredged sediment suitable for unconfined open water disposal is available for use as cap. This demonstration shall include a description of the source of the cap sediment, a certification as to the volume of sediment available, documentation of appropriate authorization for dredging the cap sediment, assurances that such sediment will be reserved for cap pursuant to this certificate and will not be disposed of in another manner, and sediment test data showing that this sediment is suitable for use as cap;
 - ii. a work schedule including the estimated starting date and time required to complete disposal of contaminated sediments; and the estimated starting date and time required to complete the capping of the contaminated sediments. Such work schedule shall incorporate sufficient time to allow for inclement weather, wave conditions and/or equipment failures; and
 - iii. disposal barge capacity, dredge bucket capacity, planned hours of operation, and the anticipated number of barge trips per day.
 - b. In the event that suitable sediment is directed by the Commissioner to cap the sediment authorized to be dredged herein, and such direction results in actual increased costs to the Permittee who is providing the sediment to be used as cap, the Permittee shall be responsible for any actual additional costs incurred by the direction of suitable cap sediments to the disposal site authorized herein.
2. No dredging shall be conducted until the Permittee has received written approval of the capping plan from the Commissioner. The Permittee shall implement the capping plan as approved by the Commissioner.
3. Sediment dredged pursuant to this authorization shall not be sold nor shall any fee for its use be charged without the express prior written authorization of the Commissioner and payment of a \$4.00

per yard royalty to the State of Connecticut Department of Environmental Protection, pursuant to section 22a-361(e) of the General Statutes.

4. Except as specifically authorized by this permit, no equipment or material including but not limited to, fill, construction materials, excavated material or debris, shall be deposited, placed or stored in any wetland or watercourse on or off-site, nor shall any wetland or watercourse be used as a staging area or accessway other than as provided herein.
5. At no time shall heavy equipment, including but not limited to excavators, front-end loaders, trucks, backhoes, tractors and other non-low pressure equipment be staged waterward of the high tide line or in tidal wetlands.
6. All work authorized in paragraph 4. of the SCOPE OF AUTHORIZATION, above, is prohibited between February 1st through May 15th and June 1st through September 30th, inclusive, of any year in order to protect spawning winter flounder and spawning shellfish, unless otherwise authorized in writing by the Commissioner.
7. The structures authorized herein shall not be used for fueling, exterior painting, cleaning or other boat repair or maintenance activities which could produce discharges to the harbor while berthed at the docks authorized herein.
8. The Permittee shall not berth any vessels within the area identified as the "NON-CONSTRUCTION ZONE" as shown on sheets 1 through 3 of 6 of the plans attached hereto.
9. The dredging authorized herein shall be conducted using mechanical means during periods of high water.
10. All waste material generated by the work authorized herein shall be disposed of at an approved upland location landward of the high tide line and outside of any tidal wetland vegetation.
11. The work specified in the SCOPE OF AUTHORIZATION is authorized solely for the purpose set out in this permit. No change in the purpose or use of the authorized work or facilities as set forth in this permit may occur without the prior written authorization of the Commissioner. The Permittee shall, prior to undertaking or allowing any change in use or purpose from that which is authorized by this permit, request authorization from the Commissioner for such change. Said request shall be in writing and shall describe the proposed change and the reason for the change. A change in the form of ownership of any structure authorized herein from a rental/lease commercial marina to a wholly-owned common interest community or dockominium may constitute a change in purpose as specified above.
12. The Commissioner in her sole discretion may modify the disposal site authorized herein and direct dredged sediments to an alternate site for use as cap material, provided that no modification will take effect if such modification imposes uncompensated additional costs solely attributable to such modification on the Permittee.
13. Not later than sixty (60) days following receipt of this authorization to conduct dredging, the Permittee shall submit to the Commissioner a proposed schedule for the dredging project.

14. The Permittee shall not dispose of dredged or excavated material as authorized herein unless said disposal is supervised and witnessed by an on-board inspector or documented by an automated disposal monitoring program approved by the United States Army Corps of Engineers-New England District.
15. The Permittee shall point-dump dredged or excavated materials at a specified buoy or set of coordinates identified by the United States Army Corps of Engineers-New England District within the disposal area authorized by this certificate.
16. In undertaking the work authorized herein, the Permittee shall not cause or allow pollution of tidal wetlands or watercourses, including pollution resulting from sedimentation and erosion. For purposes of this permit, "pollution" means "pollution" as that term is defined by section 22a-423 of the General Statutes.
17. Not later than two (2) weeks prior to the commencement of any work authorized herein, the Permittees shall submit to the Commissioner, on the form attached hereto as Appendix A, the name(s) and address(es) of any contractor(s) employed to conduct such work and the expected date for commencement and completion of such work.
18. On or before (a) ninety (90) days after completion of the work authorized herein, or (b) upon expiration of the work completion date or any authorized one-year extension thereof, whichever is earlier, the Permittee shall submit to the Commissioner "as-built" and "as-dredge" plans prepared and sealed by a licensed engineer, licensed surveyor or licensed architect, as applicable, of the work area showing all contours, bathymetries, tidal datums and structures.

GENERAL TERMS AND CONDITIONS

1. All work authorized by this permit shall be completed within five (5) years from date of issuance of this permit ("work completion date") in accordance with all conditions of this permit and any other applicable law.
 - a. The Permittees may request a one-year extension of the work completion date. Such request shall be in writing and shall be submitted to the Commissioner at least thirty (30) days prior to said work completion date. Such request shall describe the work done to date, work which still needs to be completed and the reason for such extension. The Commissioner shall grant or deny such request in her sole discretion.
 - b. Any work authorized herein conducted after said work completion date or any authorized one year extension thereof is a violation of this permit and may subject the Permittees to enforcement action, including penalties, as provided by law.
2. In conducting the work authorized herein, the Permittee shall not deviate from the attached plans, as may be modified by this permit. The Permittee shall not make de minimis changes from said plans without prior written approval of the Commissioner.

3. The Permittee Holder shall maintain all structures or other work authorized herein in good condition. Any such maintenance shall be conducted in accordance with applicable law including, but not limited to, sections 22a-28 through 22a-35 and sections 22a-359 through 22a-363f of the General Statutes.
4. Prior to the commencement of any work authorized hereunder, the Permittee shall cause a copy of this permit to be given to any contractor(s) employed to conduct such work. At the work area the Permittee shall, whenever work is being performed, make available for inspection a copy of this permit and the final plans for the work authorized herein.
5. The Permittee shall notify the Commissioner in writing of the commencement of any work and completion of all work authorized herein no later than three (3) days prior to the commencement of such work and no later than seven (7) days after the completion of such work.
6. Upon completion of any work authorized herein, the Permittee shall restore all areas impacted by construction, or used as a staging area or accessway in connection with such work, to their condition prior to the commencement of such work.
7. Any document required to be submitted to the Commissioner under this permit or any contact required to be made with the Commissioner shall, unless otherwise specified in writing by the Commissioner, be directed to:

Permit Section
Office of Long Island Sound Programs
Department of Environmental Protection
79 Elm Street
Hartford, Connecticut 06106-5127
(860) 424-3034
Fax # (860) 424-4054

8. The date of submission to the Commissioner of any document required by this permit shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this permit, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is personally delivered or the date three (3) days after it is mailed by the Commissioner, whichever is earlier. Except as otherwise specified in this permit, the word "day" as used in this permit means calendar day. Any document or action which is required by this permit to be submitted or performed by a date which falls on a Saturday, Sunday or a Connecticut or federal holiday shall be submitted or performed on or before the next day which is not a Saturday, Sunday, or a Connecticut or federal holiday.
9. This permit may be revoked, suspended, or modified in accordance with applicable law.
10. This permit is not transferable without prior written authorization of the Commissioner. A request to transfer a permit shall be submitted in writing and shall describe the proposed transfer and the reason for such transfer. The Permittee's obligations under this permit shall not be affected by the passage of title to the work area to any other person or municipality until such time as a transfer is authorized

by the Commissioner.

11. The Permittee shall allow any representative of the Commissioner to inspect the work authorized herein at reasonable times to ensure that it is being or has been accomplished in accordance with the terms and conditions of this permit.
12. In granting this permit, the Commissioner has relied on representations of the Permittee, including information and data provided in support of the Permittee's application. Neither the Permittee's representations nor the issuance of this permit shall constitute an assurance by the Commissioner as to the structural integrity, the engineering feasibility or the efficacy of such design.
13. In the event that the Permittee becomes aware that they did not or may not comply, or did not or may not comply on time, with any provision of this permit or of any document required hereunder, the Permittee shall immediately notify the Commissioner and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. In so notifying the Commissioner, the Permittee shall state in writing the reasons for the noncompliance or delay and propose, for the review and written approval of the Commissioner, dates by which compliance will be achieved, and the Permittee shall comply with any dates which may be approved in writing by the Commissioner. Notification by the Permittee shall not excuse noncompliance or delay and the Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay unless specifically stated by the Commissioner in writing.
14. In evaluating the application for this permit the Commissioner has relied on information and data provided by the Permittee and on the Permittee's representations concerning site conditions, design specifications and the proposed work authorized herein, including but not limited to representations concerning the commercial, public or private nature of the work or structures authorized herein, the water-dependency of said work or structures, its availability for access by the general public, and the ownership of regulated structures or filled areas. If such information proves to be false, deceptive, incomplete or inaccurate, this permit may be modified, suspended or revoked, and any unauthorized activities may be subject to enforcement action.
15. The Permittee may not conduct work waterward of the high tide line or in tidal wetlands at this permit site other than the work authorized herein, unless otherwise authorized by the Commissioner pursuant to CGS section 22a-359 et. seq. and/or CGS section 22a-32 et. seq.
16. The issuance of this permit does not relieve the Permittee of their obligations to obtain any other approvals required by applicable federal, state and local law.
17. Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under this permit shall be signed by the Permittee and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows: "I have personally examined and am familiar with the information submitted in this document and all attachments and certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief, and I understand that any false statement made in this document or its attachments may be punishable as a criminal offense."

18. This permit is subject to and does not derogate any present or future property rights or powers of the State of Connecticut, and conveys no property rights in real estate or material nor any exclusive privileges, and is further subject to any and all public and private rights and to any federal, state or local laws or regulations pertinent to the property or activity affected hereby.

Issued on _____, 2010

STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Amey W. Marrella
Commissioner

Permit Application No. #200602372-MG, Stonington
Dodson Boat Yard, LLC

OFFICE OF LONG ISLAND SOUND PROGRAMS

APPENDIX A

TO: Permit Section
Department of Environmental Protection
Office of Long Island Sound Programs
79 Elm Street
Hartford, CT 06106-5127

PERMITTEE: Dodson Boat Yard, LLC
c/o Robert Synder
194 Water Street
Stonington, CT 06378

Permit No: #200602372-MG, Stonington

CONTRACTOR 1: _____

Address: _____

Telephone #: _____

CONTRACTOR 2: _____

Address: _____

Telephone #: _____

CONTRACTOR 3: _____

Address: _____

Telephone #: _____

EXPECTED DATE OF COMMENCEMENT OF WORK: _____

EXPECTED DATE OF COMPLETION OF WORK: _____

PERMITTEE: _____

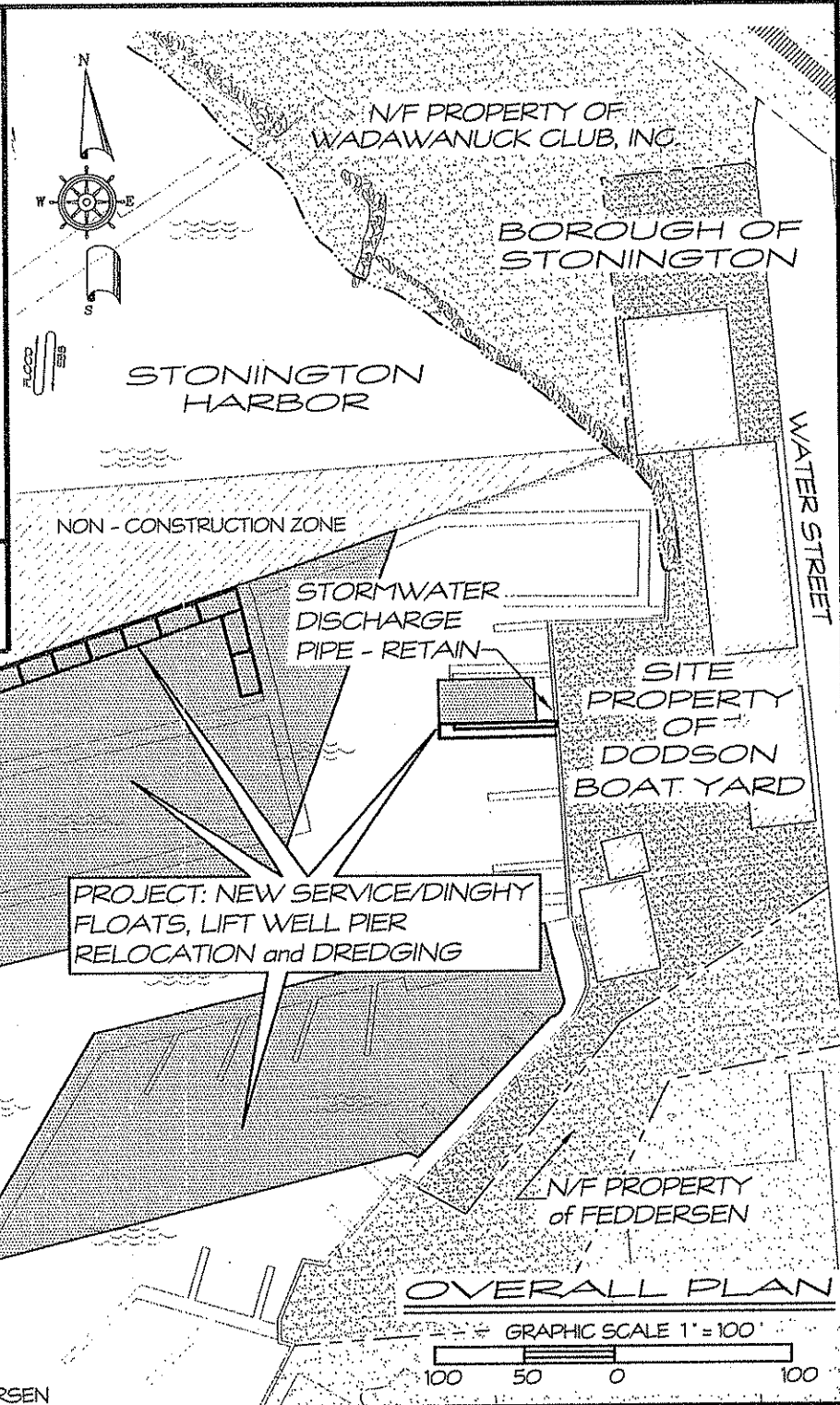
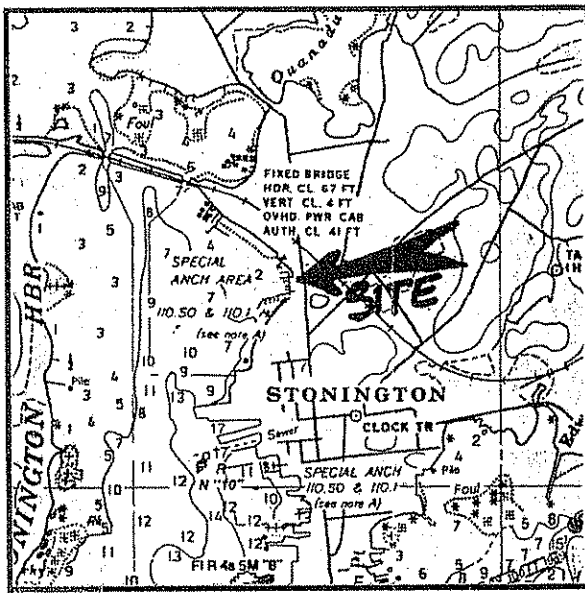
(signature)

(date)

LOCATION MAP

Project: "NEW DREDGING"
Location: TOWN OF STONINGTON
NEW LONDON COUNTY, CONNECTICUT
Waterway: STONINGTON HARBOR
Date: JULY 25, 2006
Applicant: DODSON BOAT YARD, LLC
Agent: DOCKO, INC.





NOTES:

1. ELEVATION DATUM IS MEAN LOW WATER.
2. TIDE DATA IS TAKEN FROM 2006 NOAA TIDE TABLES - REFERENCE STATION STONINGTON.
3. PROJECT DESCRIPTION:
INSTALL 200±LF OF 12-FT WIDE SERVICE/DINGHY FLOATS, RELOCATE A LIFT WELL PIER WITH ASSOCIATED WALKWAY AND DREDGE 16,200±CY OF MARINE SILTS AND GRAVEL BOTTOM SEDIMENTS OVER 82,000±SF TO A DEPTH OF 8-FT MLW WITH A 1-FT OVER DREDGE ALLOWANCE OF 4,100±CY BY CLAMSHELL BUCKET FOR OPEN WATER DISPOSAL AND RETAIN AN EXISTING 6-IN STORMWATER DRAIN ALL AT OR WATERWARD OF THE HIGH TIDE LINE.
4. PROJECT PURPOSE:
THIS IS A COMMERCIAL MARINA FOR RECREATIONAL BOATING.
5. THESE APPLICATION DRAWINGS REPRESENT A COMPILATION OF SURVEYS FOR PERMIT PURPOSES. THEY ARE NOT CONSTRUCTION CONTRACT DOCUMENTS.

6. ADJOINING PROPERTY OWNERS:

NORTH:
WADAWANUCK CLUB, INC.
NORTH WATER STREET
STONINGTON, CT

SOUTH:
INGRID FEDDERSEN
NORTH WATER STREET
STONINGTON, CT

REVISED 10-05-08 DEP

DESCRIPTION

REVISED 11-26-08 DEP

DESCRIPTION

REVISED 3-5-09 DEP

DESCRIPTION

REVISED 3-10-09 DEP

DESCRIPTION

REVISED 5-21-09 DEP

PROJECT

REVISED 11-26-08 DEP

DESCRIPTION

REVISED 11-26-08 DEP

CALLOUT

REVISED 3-5-09 DEP

DESCRIPTION

REVISED 3-10-09 DEP

DESCRIPTION

REVISED 5-21-09 DEP

PROJECT

PROJECT:

NEW SERVICE/DINGHY FLOAT, LIFT PIER
RELOCATION and DREDGING

LOCATION:

STONINGTON POINT, TOWN OF STONINGTON
NEW LONDON COUNTY, CONNECTICUT

WATERWAY:

STONINGTON HARBOR

DATE:

JULY 25, 2006

APPLICANT:

DODSON BOAT YARD

AGENT:

SHEET 1 OF 6

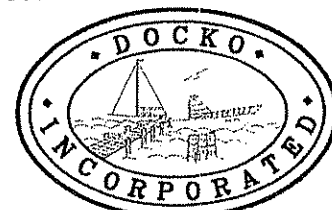
DOCKO, INC.

Keith B. Nellson, PE

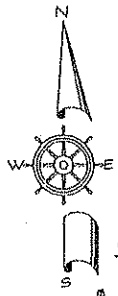
Mystic, CT 06355

860 572 8939 FAX 860 572 7569

EMAIL: docko@snet.net



DWG 06-03-1788

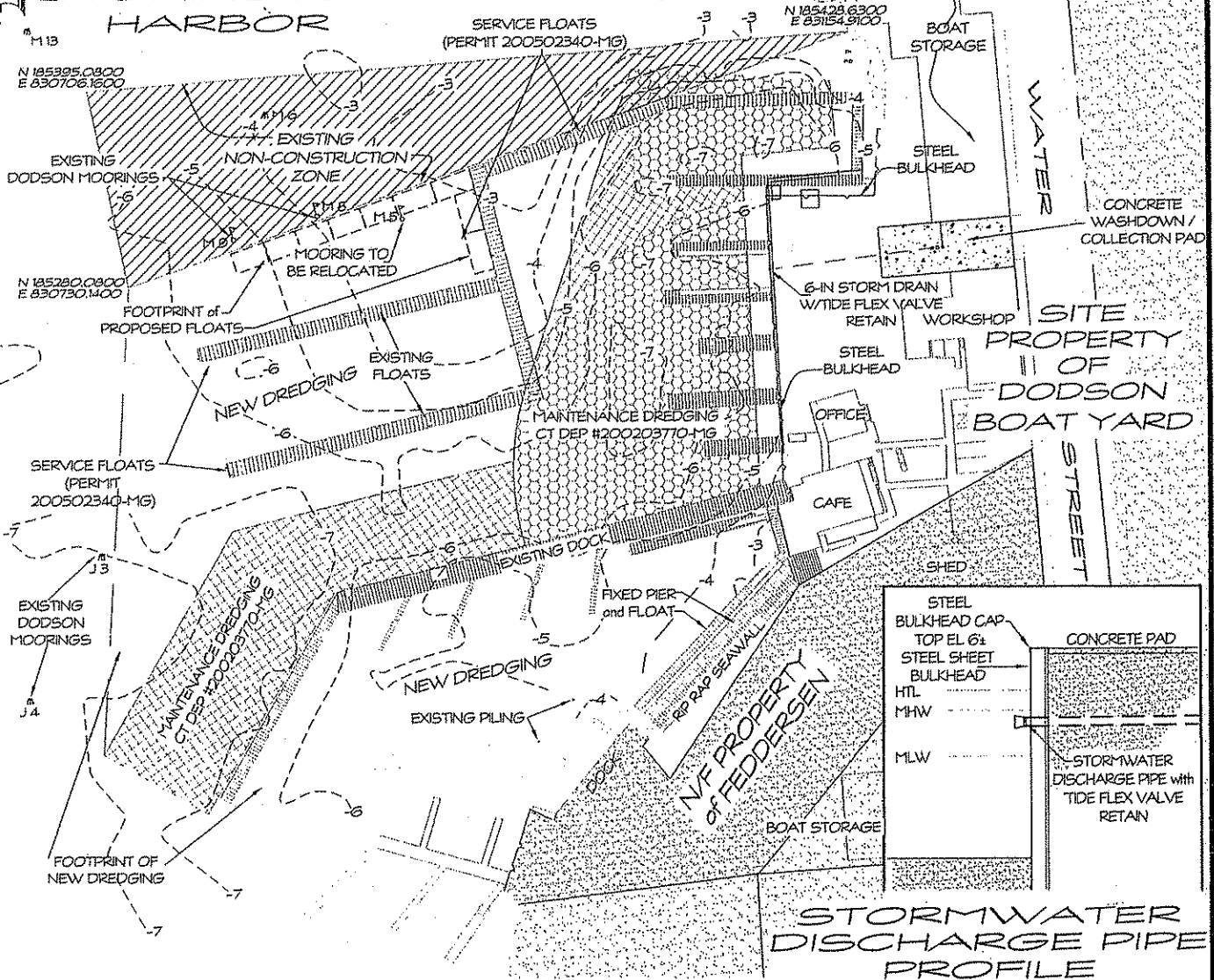


STONINGTON HARBOR

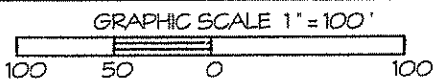
DEP RESOURCES
COASTAL FLOOD HAZARD
DEVELOPED SHORE FRONT
ESTUARINE EMBAYMENT
MODIFIED BLUFFS/ESCARPMENTS
SHELLFISH CONCENTRATION AREAS

N/F PROPERTY OF
WADAWANUCK CLUB, INC.

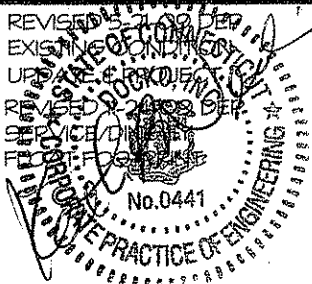
BOROUGH OF
STONINGTON



EXISTING CONDITIONS

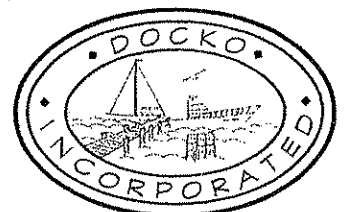


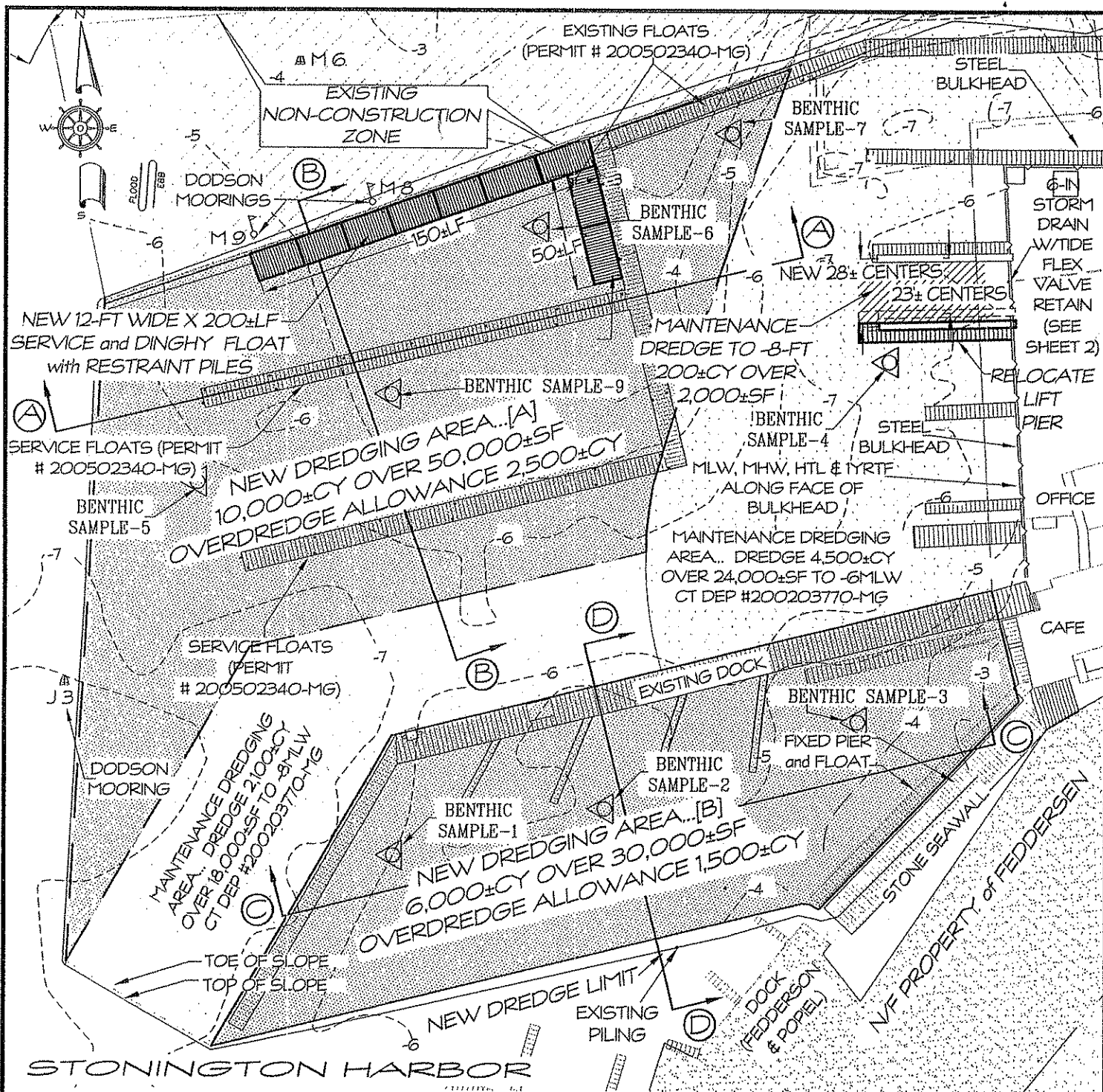
HYDROGRAPHIC SURVEY: GRAPHIC SCALE 1"=10'
by HYDRO DATA INC 10 5 0 10



REVISED 11-26-08 DEP
STORMWATER DRAIN &
WASHDOWN PAD
REVISED 12-10-08 DEP
STORMWATER DRAIN
PROFILE
REVISED 3-5-09 DEP
EXISTING CONDITIONS,
NEW FLOATS AND
DREDGE AREA

PROJECT: NEW SERVICE/DINGHY FLOAT, LIFT PIER
RELOCATION and DREDGING
LOCATION: STONINGTON POINT, TOWN OF STONINGTON
NEW LONDON COUNTY, CONNECTICUT
WATERWAY: STONINGTON HARBOR
DATE: JULY 25, 2006
APPLICANT: DODSON BOAT YARD
AGENT: SHEET 2 OF 6
DOCKO, INC.
Keith B. Neilson, PE
Mystic, CT 06355
860 572 8939 FAX 860 572 7569
EMAIL: docko@snet.net
DWG 06-03-1788

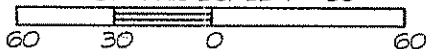




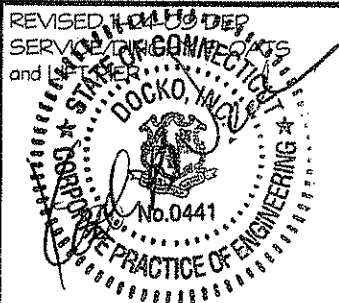
STONINGTON HARBOR

PLAN VIEW

GRAPHIC SCALE 1" = 60'



HYDROGRAPHIC SURVEY : by HYDRO DATA INC



REVISED 1-14-08 DEP
SERVICE and DINGHY
FLOATS and RESTRAINT PILES

REVISED 1-15-08 DEP
DREDGE LIMITS

REVISED 11-26-08 DEP
STORMWATER DRAIN

REVISED 3-5-09 DEP
NEW FLOATS AND
DREDGE AREA

REVISED 5-21-09 DEP
PROJECT

PROJECT: NEW SERVICE/DINGHY FLOAT, LIFT PIER
RELOCATION and DREDGING

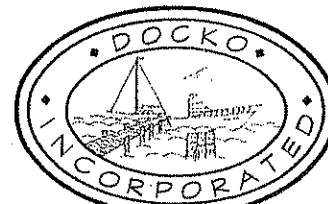
LOCATION: STONINGTON POINT, TOWN OF STONINGTON
NEW LONDON COUNTY, CONNECTICUT

WATERWAY: STONINGTON HARBOR

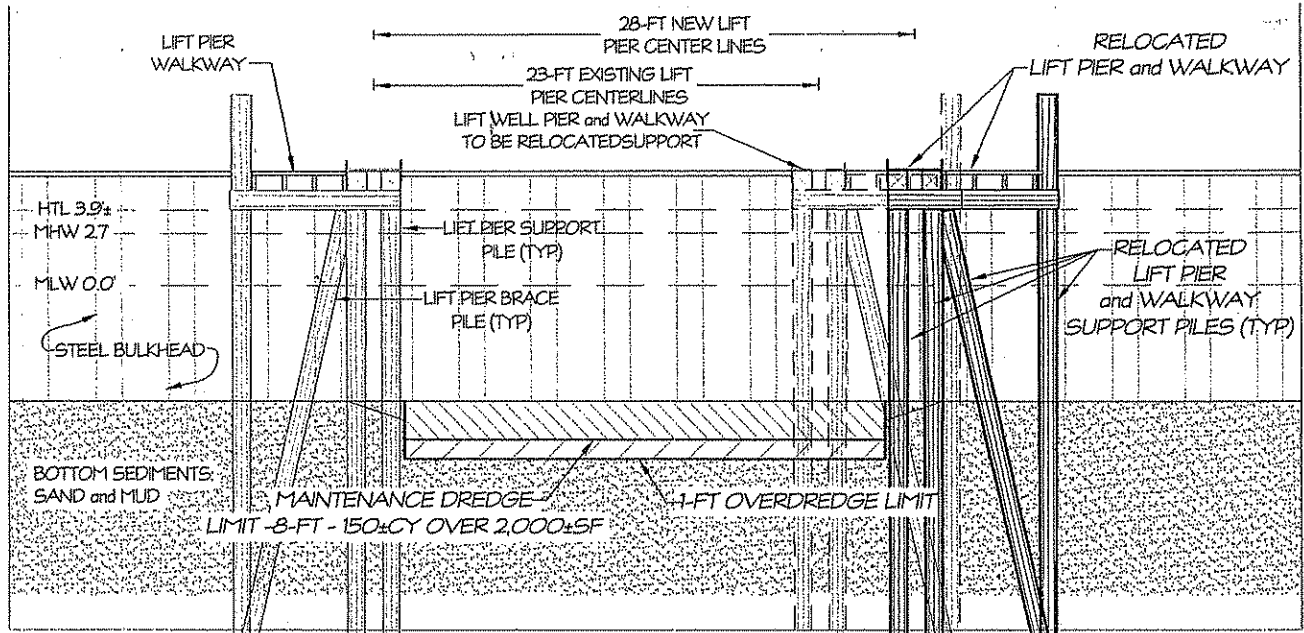
DATE: JULY 25, 2006

APPLICANT: DODSON BOAT YARD

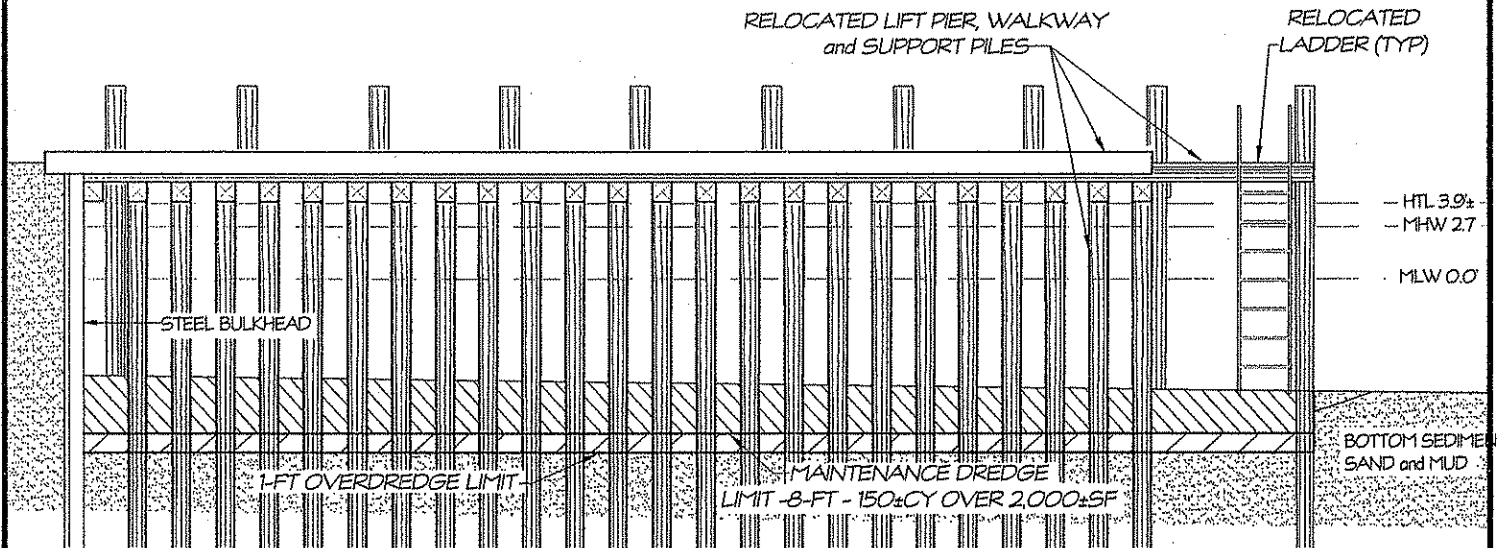
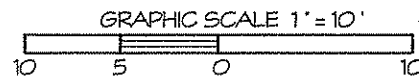
AGENT: SHEET 3 OF 6
DOCKO, INC.
Keith B. Nelson, PE
Mystic, CT 06355
860 572 8939 FAX 860 572 7569
EMAIL: docko@snet.net



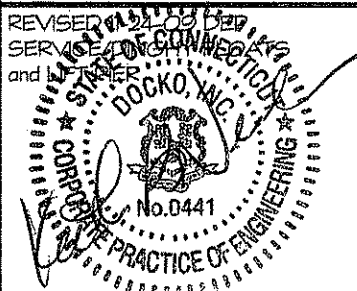
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LIFT WELL END VIEW

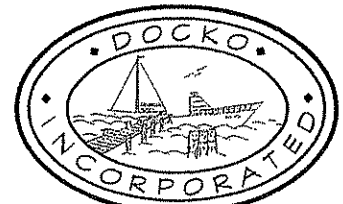


LIFT WELL PROFILE

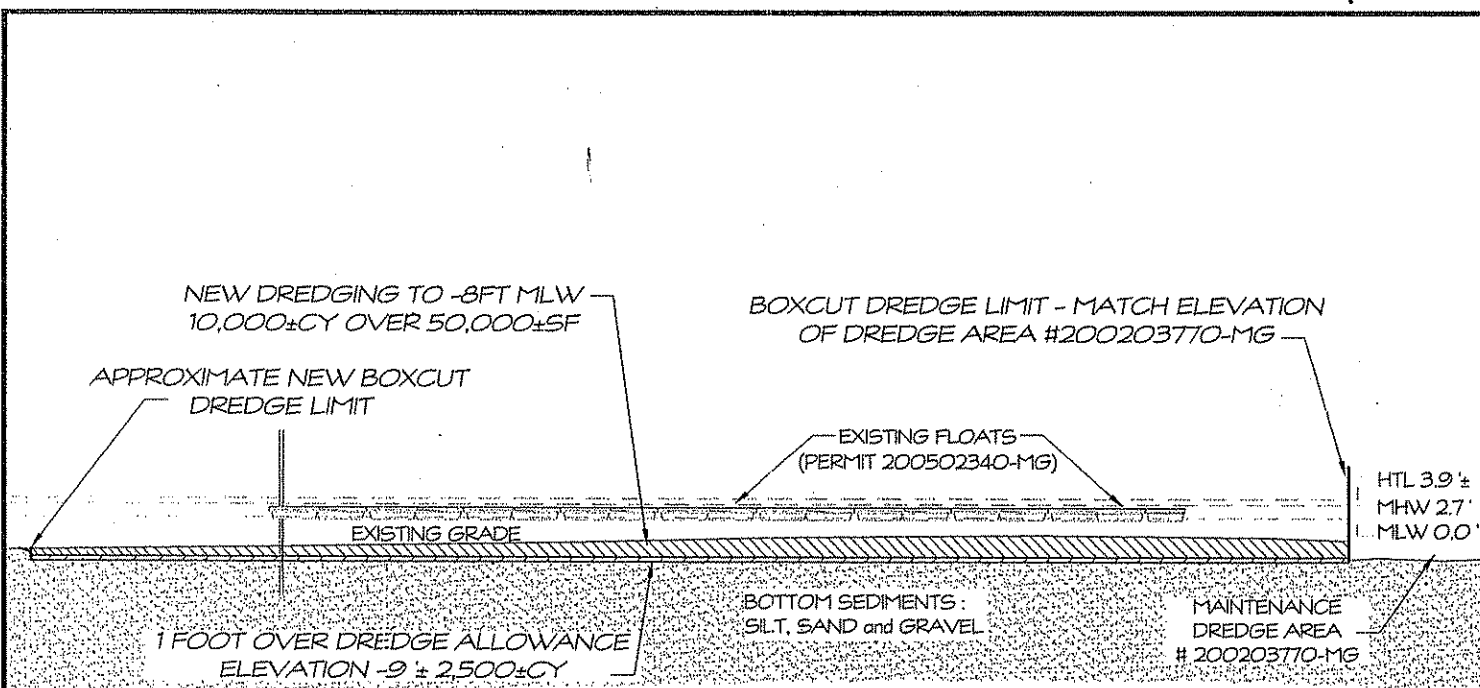


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DREDGE LIMITS
REVISED 11-26-08 DEP
STORMWATER DRAIN
REVISED 3-5-09 DEP
NEW FLOATS AND
DREDGE AREA
REVISED 5-21-09 DEP
PROJECT

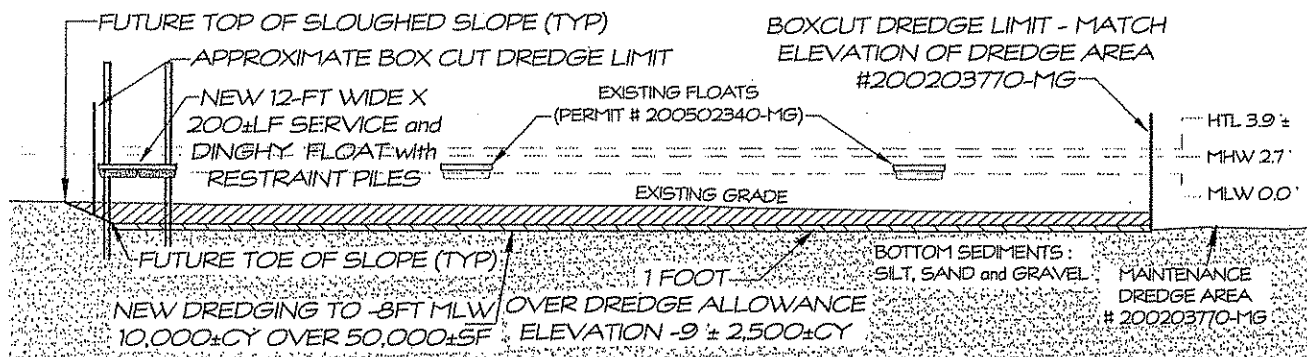
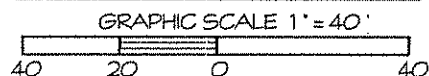
PROJECT: NEW SERVICE/DINGHY FLOAT, LIFT PIER
RELOCATION and DREDGING
LOCATION: STONINGTON POINT, TOWN OF STONINGTON
NEW LONDON COUNTY, CONNECTICUT
WATERWAY: STONINGTON HARBOR
DATE: JULY 25, 2006
APPLICANT: DODSON BOAT YARD
AGENT: SHEET 3A OF 6
DOCKO, INC.
Keith B. Neilson, PE
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860 572 8939 FAX 860 572 7569
EMAIL: docko@snet.net



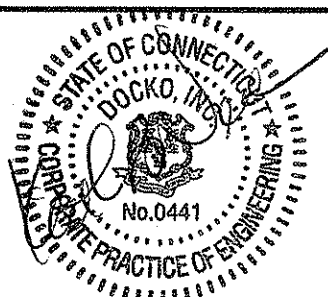
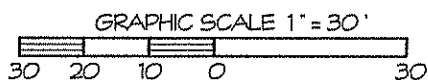
DWG 06-03-1788



SECTION A-A



SECTION B-B



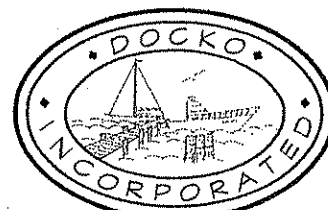
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VIEWPOINTS, CALLOUTS
REVISED 5-21-09 DEP
PROJECT
REVISED 10-2-09 DEP
PROFILE SECTION-1

PROJECT: NEW SERVICE/DINGHY FLOAT, LIFT PIER
RELOCATION and DREDGING
LOCATION: STONINGTON POINT, TOWN OF STONINGTON
NEW LONDON COUNTY, CONNECTICUT
WATERWAY: STONINGTON HARBOR
DATE: JULY 25, 2006
APPLICANT: DODSON BOAT YARD

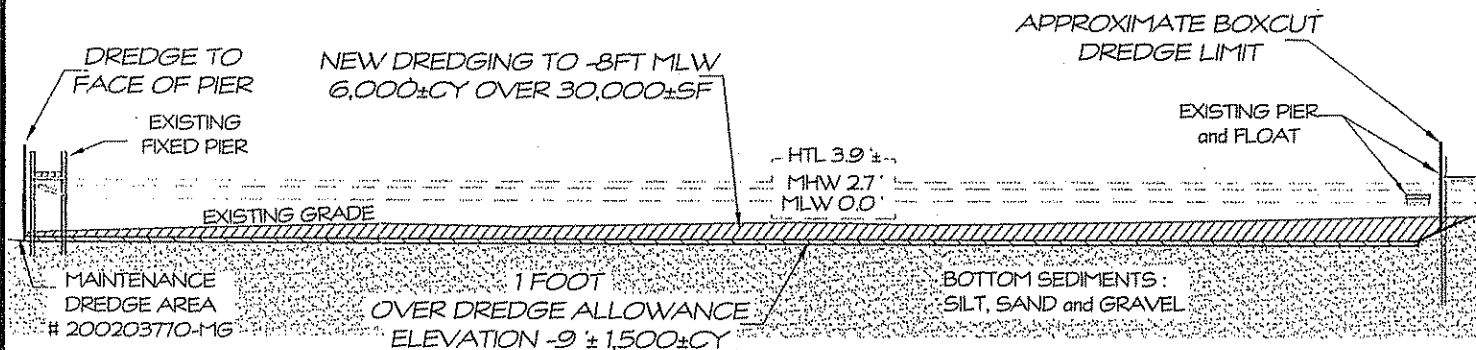
AGENT: SHEET 4 OF 6

DOCKO, INC.

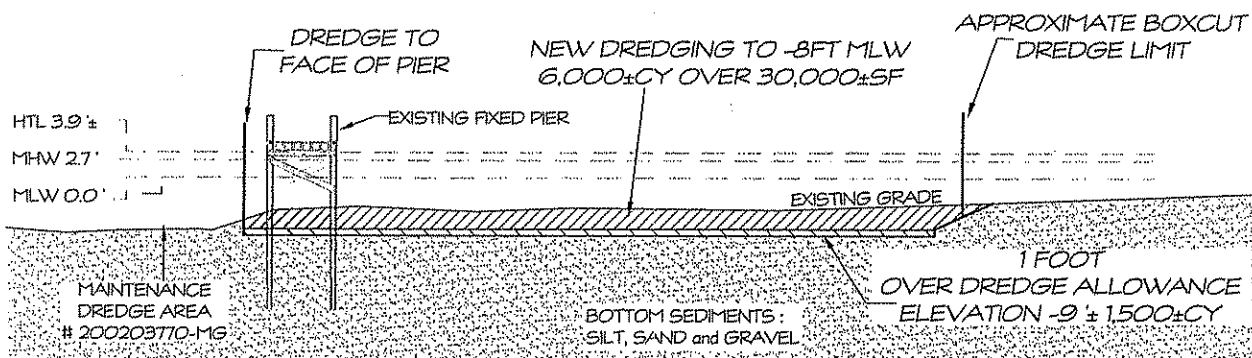
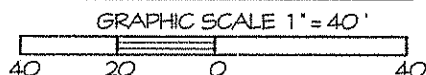
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Mystic, CT 06355
860 572 8939 FAX 860 572 7569
EMAIL: docko@snet.net



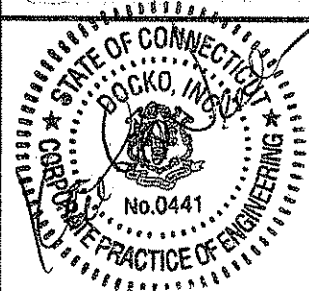
DWG 06-03-1788



SECTION C-C



SECTION D-D



REVISED 5-18-09 DI
CALLOUTS

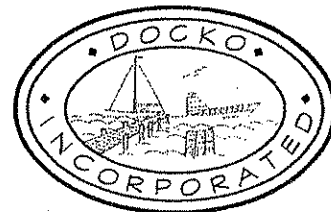
REVISED 5-21-09 DEP
PROJECT

PROJECT: NEW SERVICE/ DINGHY FLOAT, LIFT PIER
RELOCATION and DREDGING
LOCATION: STONINGTON POINT, TOWN OF STONINGTON
NEW LONDON COUNTY, CONNECTICUT
WATERWAY: STONINGTON HARBOR
DATE: JULY 25, 2006
APPLICANT: DODSON BOAT YARD

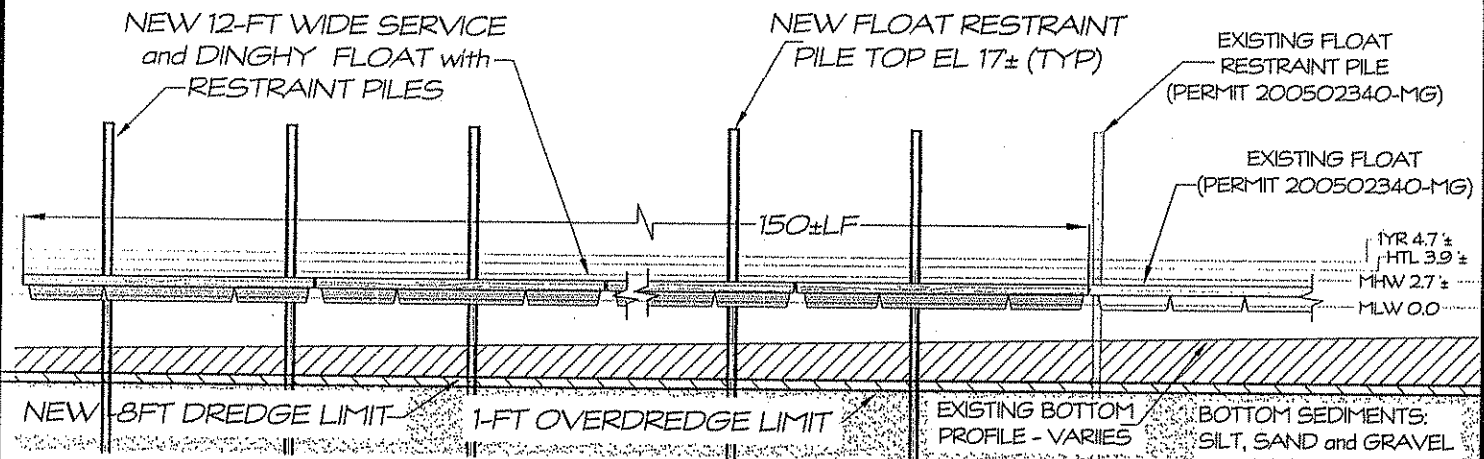
AGENT: SHEET 5 OF 6

DOCKO, INC.

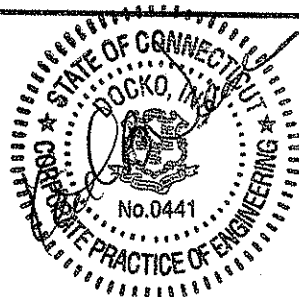
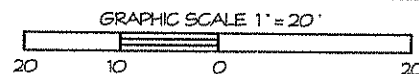
Keith B. Neilson, PE
Mystic, CT 06355
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E-MAIL: docko@snet.net



DWG 06-03-1788



NEW FLOAT PROFILE



REVISED 5-18-09 DI
CALLOUTS

REVISED 5-21-09 DEP
EXISTING CONDITION
UPDATE & PROJECT

REVISED 11-24-09 DEP
SERVICE/DINGHY FLOAT

PROJECT: NEW SERVICE/DINGHY FLOAT, LIFT PIER
RELOCATION and DREDGING

LOCATION: STONINGTON POINT, STONINGTON
NEW LONDON COUNTY, CONNECTICUT

WATERWAY: STONINGTON HARBOR

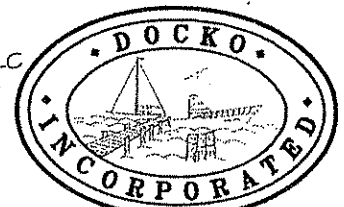
DATE: JULY 25,

APPLICANT: DODSON BOAT YARD LLC

AGENT: SHEET 6 OF 6

DOCKO, INC.

Keith B. Neilson, PE
Mystic, CT 06355
860 572 8939 FAX 860 572 7569
EMAIL: docko@snet.net



DWG 00-09-1152